IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

NTP, INC.,	**)**
	)
Plaintiff,	**)**
	)
v.	**) Civil Action No. 3:07-CV-548-JRS**
	)
T-MOBILE USA, INC.	**)**
	)
Defendant.	**)**

T-MOBILE'S MOTION TO STAY

Defendant T-Mobile USA, Inc. ("T-Mobile"), by counsel, moves to stay this action pending the conclusion of all proceedings, including all appeals, arising out of the United States Patent and Trademark Office's reexamination of the patents asserted against T-Mobile by Plaintiff NTP, Inc. ("NTP"). The PTO has issued final rejections over all of the claims of each of the patents NTP asserts against T-Mobile in this action. Because of the ongoing reexamination proceedings, this Court has previously stayed an action brought by NTP against a different accused infringer (Palm, Inc.), without requiring the accused infringer to be bound by the results of the reexaminations of the NTP patents. (See *NTP, Inc. v. Palm, Inc.*, Civil Action No 3:06-CV-836-JRS, Docket Entry No. 48). The bases for the relief requested by T-Mobile are set forth more fully in the accompanying memorandum and exhibits.

Respectfully submitted,

T-MOBILE USA, INC.

By: ____________/s/__________________
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of October, 2007, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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